REMARKS

Claims 1-31 are pending in this application.

Claim Rejections Under 35 USC §101

Claims 1-8 and 22-26 are rejected under 35 U.S.C. 101 because he claimed invention is directed to non-statutory subject matter. In response, claims 1-8 and claims 22-26 have been amended to call for a computer storage medium which is defined to exclude carrier waves. Accordingly, the applicant believes the section 101 rejection should be withdrawn.

Double Patenting

Claims 9, 15, and 27 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 11, 1 and 17 of copending Application No. 10/806,369.

In response, a terminal disclaimer is provided to address the double patenting issue. Accordingly, the applicant believes the double patenting rejection should be withdrawn.

Claim Rejections Under 35 USC §102

Claims 27 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by *King et al.*, US Publication No. 2002/0087868 ("King").

As will be a common theme in this response, all the pending independent claims have been amended to call for the network to be a peer to peer network and the network settings to be peer to peer network settings. Applicant believes that an ad hoc network implies that the

7

network is a peer to peer network as described in the specification at paragraph 0027. However, in the spirit of advancing prosecution and eliminating possible contrary interpretations, all the claims have been amended to specifically call for the network and network settings to be peer to peer networks and peer to peer network settings.

King discloses network connections. The drawings and references are to traditional networks and the concept of peer to peer networks is not specifically mentioned in King. In paragraph 0041, the data communications network is described as a "local area network (LAN), a wide area network (WAN), the Internet, etc." Further, peer to peer networks have different requirements and would require a different methodology than that described in King. For example, in a traditional network, a router or server is used as a way to ensure trust among network users. In a peer to peer system, trust must be negotiated user to user. As an another example, in a peer to peer system, there is an initiating computer that begins the creation of the peer to peer network which other peers may join. In a traditional network, all users connect to a server or a router. As a result, the system disclosed in King is missing a key element present in all the pending claims, specifically, a peer to peer network.

Furthermore, it would not be obvious to modify King to cover peer to peer networks. Peer to peer networks present a different set of problems than faced by King. Someone trying to find a way to easily configure a plurality of computers to connect through a peer to peer network would not look to King because King is designed for simple networks with supervisors such as routers and servers without the complexity of a peer to peer network which requires each node to be both a participant and a supervisor. A more robust and complex methodology than disclosed in King is necessary to ensure malicious users cannot attack a peer computer and King has no disclosure or contemplation of such issues.

The pending claims are a patentable leap over the prior art as connecting to non peer to peer network is a different problem. The details required are routine as router or servers monitor the network to ensure malicious actions are not undertaken. Connecting to a peer to peer network is an entirely different situation and requires greater complexity in the connection process to ensure malicious nodes do not connect to the peer to peer network. The complexity lends itself to be stored on a portable media device. In King, the portable media device is useful, but in a peer to peer device, the portable media device makes a potentially nightmare situation of establishing trust and signing on to a peer to peer network relatively easy. Users of peer to peer networks, such as students or business colleagues, will benefit from the claimed system by being able to easily and trustworthily connect to each other in a peer to peer fashion without the need for a server or router supervisor.

In conclusion, claims 27 and 29 call for an ad hoc peer to peer wireless network and peer to peer network settings, both of which are not present in King. This is not a minor distinction but a fundamental difference between the claims and the cited reference. Accordingly, the applicant believes the rejection should be withdrawn.

Claim Rejections Under 35 USC §103

Claims 1-5, 8-10, 13-19, 22-24 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over King in view of Cedola, US Publication No. 2004/0221298 ("Cedola").

As stated previously, all the claims call for ad hoc peer to peer wireless network and peer to peer network settings. King is cited as disclosing the peer to peer features, but upon closer analysis, King is not concerned with peer to peer networks. Accordingly, the claimed element of a peer to peer network is missing from the rejected claims and a prima facie case

has not been made. Furthermore, it would not be obvious to modify King as the entire

concept of peer to peer networking is missing from King and a peer to peer network is a leap

ahead in technology and complexity in view of King. Therefore, the applicant believes the

rejection should be withdrawn.

Claims 6, 7, 11, 12, 20, 21, 25, 26, 30 and 31 are rejected under 35 U.S.C. 103(a) as

being unpatentable over King in view of Cedola and further in view of Polcha et al., US

Publication No. 2003/0217126 ("Polcha").

As stated previously, all the claims call for an ad hoc peer to peer wireless network

and peer to peer network settings. King is cited as disclosing the peer to peer features, but

upon closer analysis, King is not concerned with peer to peer networks. Accordingly, the

claimed element of a peer to peer network is missing from the rejected claims and a prima

facie case has not been made. Furthermore, it would not be obvious to modify King as the

entire concept of peer to peer networking is missing from King and a peer to peer network is

a leap ahead in technology and complexity in view of King. Therefore, the applicant believes

the rejection should be withdrawn.

CONCLUSION

In view of the above amendment and arguments, the applicant submits the pending

application is in condition for allowance and an early action so indicating is respectfully

requested.

The Commissioner is authorized to charge any fee deficiency required by this paper,

or credit any overpayment, to Deposit Account No. 13-2855, under Order No. 30835/306765,

from which the undersigned is authorized to draw.

Dated: April 22, 2008

Respectfully submitted,

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